

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHARLES L. BOBO,

Plaintiff,

V.

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES,

Defendant.

CASE NO. C13-0774-MJP

REPORT AND RECOMMENDATION

Plaintiff Charles L. Bobo, proceeding *pro se*, submitted an application to proceed *in forma pauperis* (IFP) and a proposed complaint to this Court for review. (Dkt. 1.) Plaintiff brings his claims against the State of Washington Department of Social and Health Services (DSHS) and describes his complaint as follows: “DSHS incapacity still say mental health disorder should say physical DSHS gave me physical evaluation form to be fill [sic] out went to Pike Market Medical and seen Doctor Anjali D’Souza M.D. She will not fill out the form.” (Dkt. 1-1 at 1.) Plaintiff alleges the basis for jurisdiction as “[t]hey said you did not report your

REPORT AND RECOMMENDATION
PAGE -1

01 wages from part time work in a timely manner and mental health disorder and treatment.” (*Id.*
02 at 2.)

03 A review of the Court’s filing system reveals that plaintiff has filed some twenty-five
04 different actions in this Court. (*See* Dkt. 2.) In at least two of those instances, plaintiff
05 alleged similar claims against the same defendant named in this action. *See Bobo v. State of*
06 *Washington DSHS*, C12-1992-RAJ, and *Bobo v. State of Washington DSHS*, C10-1976-RAJ.
07 In fact, plaintiff’s proposed complaint is almost identical to his last filing against Washington
08 State DSHS. *See Bobo*, C12-1992-RAJ (Dkt. 4). In that case, the Court dismissed the action
09 upon finding no basis for subject matter jurisdiction. *Id.* (Dkt. 6).

10 Under 28 U.S.C. § 1915(e), the district court must dismiss a case “at any time” it
11 determines a complaint is frivolous or fails to state a claim on which relief may be granted. 28
12 U.S.C. § 1915(e)(2). Section 1915(e) applies to all IFP proceedings, not just those filed by
13 prisoners. *Lopez v. Smith*, 203 F.3d 1122, 1127 (9th Cir. 2000). Plaintiff’s proposed
14 complaint is almost identical to the complaint he filed in 2012. As with the prior complaint,
15 there does not appear to be any basis for subject matter jurisdiction. Accordingly, the Court
16 recommends that plaintiff’s IFP application be STRICKEN and this matter DISMISSED with
17 prejudice. A proposed Order accompanies this Report and Recommendation.

18 DATED this 7th day of May, 2013.

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21 Mary Alice Theiler
22 United States Magistrate Judge